

EXHIBIT 5

DATE 1/24/2013

HB HB 147

Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

TO THE HOUSE FISH, WILDLIFE & PARKS COMMITTEE:

RE: HB 147-Revise hunter trespass penalty laws

POSITION: Montana Sportsmen's Alliance hereby goes on record **OPPOSING** this bill based on the following reasons:

- Current law allows a fine of "not less than \$50 or more than \$1000" which allows the courts to establish the fine based on the individual circumstances of the case. This bill would take that discretion away from the courts.
- Current law allows for up to 6 months in the county detention facility for serious and habitual violators, while this bill eliminates that penalty.
- Establishing a fine of \$500 and loss of hunting, trapping, fishing privileges for a minimum of 3 years for a first offense is excessive and punitive.
- Not all trespasses are created equal. There is a big difference between a premeditated, intentional trespass versus an unintentional mistake due to checkerboard land ownership in an area.
- This bill does not establish any fine system for those who post public land, or land that they do not have the authority to post, in an attempt to keep the public off lands that they are entitled to hunt on.

Once again we would like to state our **OPPOSITION** for HB 147

Montana Sportsmen Alliance Leadership Group

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